

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
 2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
 3 ALCOHOLIC BEVERAGE CONTROL BOARD
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6 IN THE MATTER OF: :

7 Mimi & D: Case # 16-CMP-00237:

8 t/a Vita Restaurant and :

9 Lounge/Penthouse Nine :

10 1318 9th Street, NW :

11 License #86037 :

12 Retailer CT :

13 ANC 2F :

14 Violation of Settl Agreement :

15 - - - - -X

16 Wednesday, October 5, 2016

17

18 Whereupon, the above-referenced matter
 19 came on for hearing at the Alcoholic Beverage
 20 Control Board, Reeves Center, 2000 14th Street,
 21 N.W., Suite 400S, Washington, D.C. 20009.

22

1 BOARD MEMBERS PRESENT

2 NICK ALBERTI, BOARD MEMBER

3 JAMES SHORT, BOARD MEMBER

4 MIKE SILVERSTEIN, BOARD MEMBER

5 RUTHANNE MILLER, BOARD MEMBER

6

7 ALSO PRESENT:

8 ABEBE BOYENE

9 FERNANDO RIVERO

10

1 P R O C E E D I N G S

2 SHOW CAUSE HEARING (STATUS)

3 CHAIRPERSON ANDERSON: The next case on
4 our show cause hearing calendar is case #16-CMP-
5 00237, Vita Restaurant and Lounge, aka Penthouse
6 Nine, license #86037. Will the parties please
7 approach and identify themselves for the record,
8 please?

9 MR. RIVERO: Good morning board members,
10 Fernando Rivero for the District of Columbia
11 standing in for Louise Phillips.

12 CHAIRPERSON ANDERSON: Mr. Rivero. Yes
13 ma'am?

14 MS. BOYENE: Abeba Boyene.

15 CHAIRPERSON ANDERSON: I'm sorry, say your
16 last name again for me, please.

17 MS. BOYENE: Boyene.

18 CHAIRPERSON ANDERSON: Boyene? Remember, I'm
19 trying to pronounce your name, so that's why I'm
20 trying to listen to what you're saying so I won't
21 butcher your name too badly, that's okay, that's
22 one of the reasons I'll ask you to repeat. But,

1 Ms. Boyene?

2 MS. BOYENE: Yes.

3 CHAIRPERSON ANDERSON: I apologize if I don't
4 do it right, but I'm trying, okay? Thank you.

5 Are there any preliminary matters in this case?

6 MR. RIVERO: Yes, the parties have an offer
7 in compromise to present to the board at this
8 time. The offer consists of a fine of \$2000,
9 payable in 60 days. If the fine is not paid in
10 60 days the license will be suspended until the
11 payment is received. That is the offer.

12 CHAIRPERSON ANDERSON: All right, thank you.
13 Ms. Boyene? It is my understanding that there is
14 an offer in compromise for a fine of \$2000
15 payable in 60 days and if the fine is not payable
16 in 60 days the license will be suspended until
17 the fine has been paid. Is this your
18 understanding, ma'am, of the offer in compromise?

19 MS. BOYENE: Yes.

20 CHAIRPERSON ANDERSON: Are do you know that
21 by accepting an offer in compromise that you are
22 giving up your right to a hearing?

1 MS. BOYENE: Yes.

2 CHAIRPERSON ANDERSON: And do you also know
3 that by accepting this offer in compromise you
4 are giving up your right to appeal this matter?

5 MS. BOYENE: Yes.

6 CHAIRPERSON ANDERSON: All right, hearing
7 that, I then make a motion that the offer in
8 compromise of a fine of \$2000 payable in 60 days,
9 and if it's not payable in 60 days the license
10 will be suspended until the fine has been paid.

11 MR. SILVERSTEIN: Second.

12 CHAIRPERSON ANDERSON: Mr. Silverstein has
13 seconded the motion. Any discussions by any
14 board members? Hearing none, all in favor say
15 aye. (Chorus of ayes.) All those opposed?

16 (No audible response.) The matter passed 4-
17 zero-zero. Thank you very much. We'll have you
18 sign some paperwork.

19

20 (Whereupon, the above-entitled matter was
21 concluded.)

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